IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4441 OF 2006

Namdev Vithu Patil & Anr. .. Petitioners.
Vs.
Tukaram Mahadev Patil & Ors. .. Respondents.

Mr.Anilkumar Patil for the petitioners.

CORAM : D.B.BHOSALE, J.
DATED : 11TH SEPTEMBER, 2006

P.C.:

. Heard learned counsel for the petitioners.

2. This writ petition is directed against the concurrent findings recorded by the courts below in the proceedings arising from the application for temporary injunction at Exhibit-5. Considering that there are concurrent findings recorded by the court below and as I find that there is sufficient material/evidence on record to sustain those findings and considering the extremely limited jurisdiction of this Court under Article 227 of the Constitution of India to disturb the findings of facts the present writ petition cannot be entertained. Hence the petition is dismissed. The trial Court shall proceed with the hearing of suit on merits in accordance with law and uninfluenced by the observations made in the present proceeding arising from Exhibit-5 application. The writ petition is disposed of.

(D.B.Bhosale, J.)